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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|-----------------------|------------------|
| 10/821,188 | 04/09/2004 | Bu-kil Jeong | 1572.1338 | 8425 |
| 21171 | 7590 | 12/30/2005 | EXAMINER | |
| STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005 | | | EARLY, MICHAEL JACOBY | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3744 | |

DATE MAILED: 12/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/821,188

Applicant(s)

JEONG ET AL.

Examiner

Michael J. Early

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 18-22 is/are rejected.
- 7) ☒ Claim(s) 16 and 17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/9/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Oath/Declaration

The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because: it is unreadable.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 5, 7, 8, 10, 11, 13, 14, 18, 19, 21 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Igari et al. (U.S. 6,044,654).

Igari et al. disclose:

- a main body (the refrigeration unit as seen in Figures 1 and 2; col. 4, lines 1 – 3);
- a freezing compartment (7 – freezing chamber);
- a refrigerator compartment (6 – refrigerating chamber);
- a first duct (as seen in the diagram of Figure 1 below);
- a second duct that is provided around an edge of the rear of the refrigerating compartment (as seen in the diagram of Figure 1 below);
- a cooling air supply hole (the opening is inherently found between the 12 – back damper and second duct; as seen in the diagram of Figure 1 below);
- a main duct (11 – back cold-air channel);
- side ducts (18 – side cold-air supply duct) that are bar shaped and extend to a lower part of the refrigerating compartment (as seen in Figure 2);

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- side cooling air supply holes (23a, 23b, 23c – side blowoff ports);
- a damper (12 – back damper);
- a first cooling air channel (as seen in the diagram of Figure 2 below);
- a second cooling air channel (as seen in the diagram of Figure 2 below);
- a main cooling air supply hole (14 – back blowoff ports);
- a cooling air channel (inherently found within 11 – back cold-air channel; Figure 2);
- a third cooling air channel (as seen in the diagram of Figure 2 below);
- a guide duct (as seen in the diagram of Figure 1 below) that comprises a connecting hole (inherently found along the duct as seen in the diagram of Figure 1 below);
- a plurality of ducts (11 – back cold-air channel; 18 – side cold-air supply duct);
- cooling air supply holes (14 – back blowoff ports; 23a, 23b, 23c – side blowoff ports);

FIG. 1

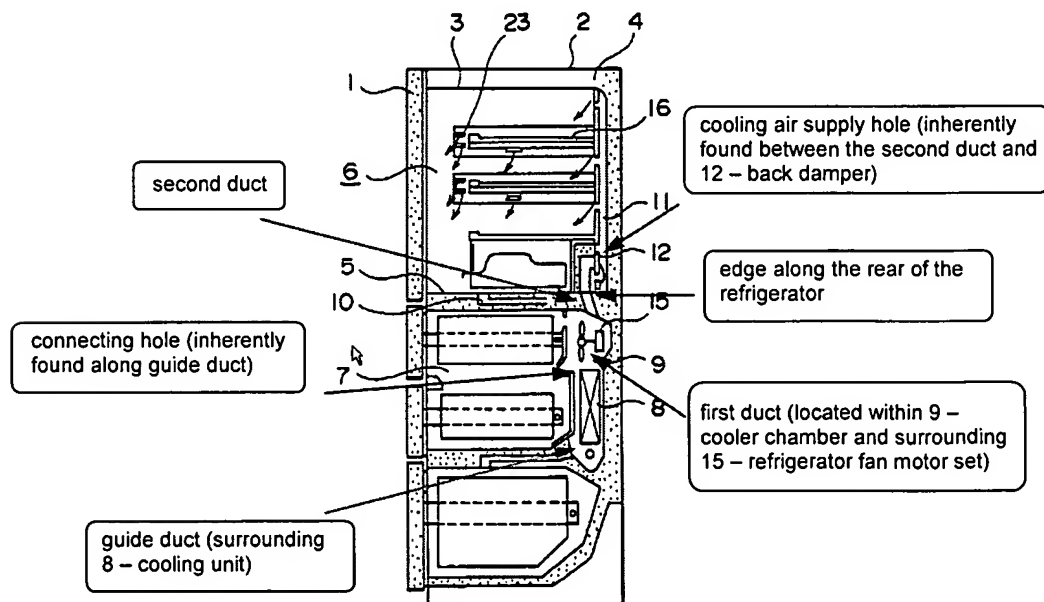
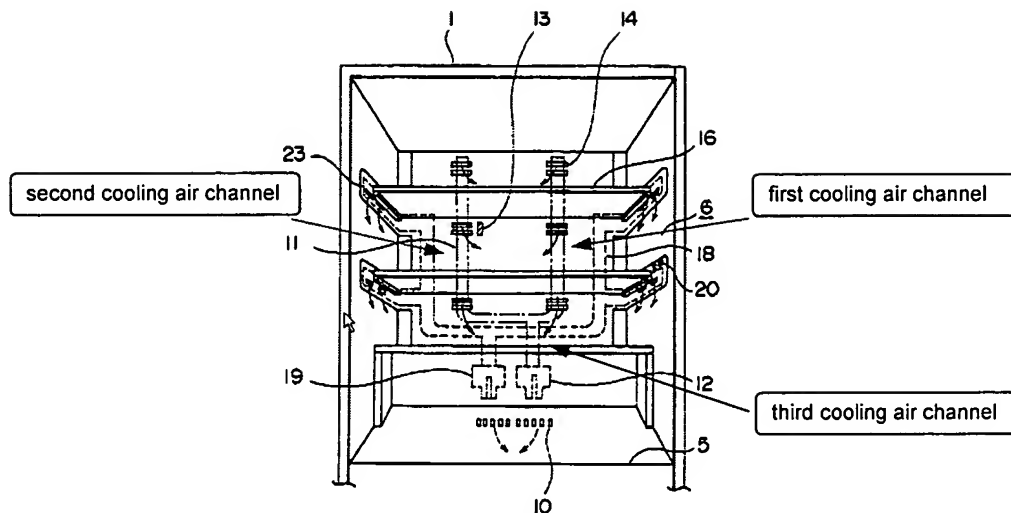


FIG. 2



Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 6, 9, 12, 15 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Igari et al. in view of Park et al. (U.S. 5,664,437).

However, Igari et al. do not disclose:

- a lamp disposed on the main duct as a single body with the main duct;
- the cooling air supplied to the side ducts is supplied from the upper part of the edge of the rear of the refrigerating compartment through the side cooling air supply hole and cooling air guided to a front side of the main duct is supplied from the opposite sides of the edge of the rear of the refrigerating compartment through the cooling air supply hole to keep the temperature distribution in the refrigerating compartment uniform;
- a lamp disposed on a front surface of a duct.

Park et al., teach of a cool-air duct that is used to efficiently direct cool air throughout a refrigerator (see col. 1, lines 9 – 12). Park et al. further disclose that a cool-air distribution apparatus (17) is located within the refrigerator; is comprised of: a cool-air duct (25), lamp cover (31) and an indoor lamp (30), which is located along the front portion of the apparatus; and is used to guide cool air generated from the system's

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evaporator (12) into its cool-air duct (25) (see col. 5, lines 32 – 52, lines 53 – 56; Figure 6).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the refrigerator of Igari et al. by incorporating a lamp along the front of cool-air distribution apparatus, as taught by Park et al., for aesthetic purposes.

Park et al. further disclose that cooled air supplied to both the side cold-air supply duct (18) and back cold-air channel (11) originate along the same rear edge of the refrigerator (as seen in Figures 2, 3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the refrigerator of Igari et al. by originating the cold-air supply ducts at the same location within the refrigerator, as taught by Park et al., for aesthetic purposes.

Allowable Subject Matter

Claims 16 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Early whose telephone number is (571) 272-3681. The examiner can normally be reached on Monday - Friday, 7am - 4:30pm.

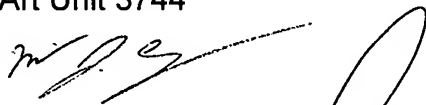
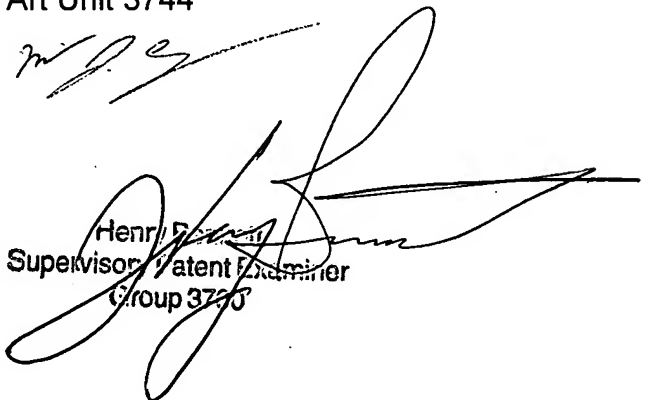
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Melba Bumgarner can be reached on (571) 272-4709. The fax phone

number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MJE
12/23/05

Michael J. Early
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